

PLANNING BOARD
Meeting Minutes
Tuesday, October 4, 2011
Town Hall, 120 Main Street
7:00 PM

1 Present: T. Seibert, J. Simons, M. Colantoni, R. Rowen

2 Absent: R. Glover

3 Staff Present: J. Tymon, J. Enright

4 Meeting began at 7:02pm.

5 **POSTPONEMENTS**

6 CONTINUED PUBLIC HEARING: 350 Great Pond Road, Application for a Watershed Special Permit
7 to construct an addition to an existing home and a new garage.
8

9 CONTINUED PUBLIC HEARING: Merrimack College, 315 Turnpike Street, Application for Special
10 Permit – Site Plan Review. Applicant proposes to expand the Volpe Athletic Center and add 66 parking
11 spaces.
12

13 **BOND RELEASE**

14 673 Great Pond Road: Curt Young is requesting a \$1,000 bond be released.

15 J. Tymon: The bond is for a watershed special permit for an enlarged patio and spa. The work is
16 completed and an as-built received.

17 **MOTION**

18 A motion was made by R. Rowen to release all bond funds for 673 Great Pond Road. The
19 motion was seconded by T. Seibert. The vote was unanimous.
20

21 **PUBLIC HEARINGS**

22 CONTINUED PUBLIC HEARING: 1780 Osgood Street, Application for Special Permit – Site Plan
23 Review. Applicant proposes interior renovations to expand existing office space, removal of bottom four
24 feet of metal cladding and replacing with masonry on north side of the building only, and construction of
25 a 60' x 50' garage addition.

26 J. Tymon: The applicant is not here; however, all concerns have been resolved. All of L. Eggleston's
27 issues were addressed.

28 **MOTION**

29 A motion was made by R. Rowen to close the public hearing for the Site Plan Review-Special Permit for
30 1780 Osgood Street. The motion was seconded by T. Seibert. The vote was unanimous.
31

32 A draft Decision was reviewed.
33

34 **MOTION**

35 A motion was made by R. Rowen to approve the Site Plan Review-Special Permit for 1780 Osgood
36 Street, as amended. The motion was seconded by M. Colantoni. The vote was unanimous.
37

38 CONTINUED PUBLIC HEARING: 2009 Salem Street, Application for a 3 lot Definitive Subdivision
39 Plan.

40 J. Tymon: All concerns of DPW, VHB, and Eggleston Environmental have been addressed. DPW did
41 not want any stormwater runoff onto Salem Street. A site visit after the heavy rains this morning showed
42 a little bit of ponding on the property, not the road. The swale on the side of the driveway will be made
43 wider and deeper based on L. Eggleston's comments. The Fire Department submitted a letter requesting

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that sprinkler systems be installed in the houses. The Health Department submitted a letter stating the soils are sufficient to support fully compliant subsurface disposal systems.

Adam Costa, representing the applicant: All the comments from peer review consultants, the DPW, and Fire Dept. have been fully addressed.

Bill Dufrane, Merrimack Engineering: Reviewed applicant's response to VHB concerns related to the design specifications of the roadway.

R. Rowen: We will need an as-built at the end.

B. Dufrane: The site distances have been measured and there is in excess of 400 feet in both directions. That is plenty of distance for a 30 MPH roadway.

J. Simons: Requested the hearing be kept open and to have a Decision drafted for the next meeting.

NEW PUBLIC HEARING: 16 Berry Street, Application for an 11 lot Definitive Subdivision Plan.

J. Tymon: Previously the Board approved a Preliminary Subdivision Plan for this applicant. This is to create 11 lots. Two of the lots have existing homes on them. L. Eggleston's review has not been received yet. A LOMA letter has been received. There will be sewer and a pump station installed.

Cal Goldsmith, GPR Engineering: Provided an overview of the existing lot and proposed subdivision plan. This included the proposed lot locations, ponds, vernal pool, cemetery, and applicant's existing home.

R. Rowen: Is there anything precluding the future subdivision of the remaining land?

C. Goldsmith: No, there is still available frontage. The applicant may want to pursue subdividing the remaining lot in the future.

C. Goldsmith: Explained the subdivision road is being designed with Low Impact Development (LID) measures in mind. There will be grass bio-filter swales rather than putting drainage into catch basins. There will be a bio-retention area in the center of the cul-de-sac where drainage will filter through a medium and be conveyed off to a discharge area in the pond.

Matthew Bombaci, GPR Engineering: Provided more design detail of the bio-retention area.

Cal Goldsmith: Discussed a potential conservation restriction to be placed on a portion of the remaining lot. Provided an overview of the sewer layout and design.

J. Simons: Asked that stakes be put on the site marking off the location of the first lot on Berry Street, roadway, and where the cul-de-sac ends.

R. Rowen: Are there rules related to access to cemeteries.

C. Goldsmith: The parcel is stated in the deed as a 7,500 sq. ft parcel. The deed doesn't give the boundaries or where the access to it is. For now the access to it will be from the remaining lot.

J. Simons: Asked to have T. Urbelis review the cemetery and requirements for it.

Board had discussion pertaining to the mechanics of a Form A that may need to be completed. J. Simons recommended J. Tymon talk to T. Urbelis about the issue.

DISCUSSION

642 Turnpike Street: Proposed dog grooming business.

J. Tymon: This is currently office space for a landscaping business in the CDD2 zoning district. The applicant is here to request a waiver for site plan review. The dog grooming business is a permitted use in this zoning district. There will not be pet sitting, day care, or over night stays.

John Carroll, Property owner: This is an existing business dog grooming business operating in Andover that would like to relocate to North Andover. There will not be any significant changes inside the building or out.

J. Simons: What will the hours of operation be?

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Joan Fitzgibbons, North Andover: Believes the business has three employees and that pick up time is 5:00pm. The business is called Bark of the Town.

T. Seibert: Questioned the amount of parking spaces and if there were enough.

J. Carroll: There are six spaces. The parking area could be expanded if it were needed; however, the business owner believes there are enough spaces.

J. Simons: The property is generally flat and open. There is commercial use currently.

MOTION

A motion was made by R. Rowen to waive site plan review for 642 Turnpike Street. The motion was seconded by T. Seibert. The vote was unanimous.

140 Academy Road: Discussion of the drainage easement that was required for the Land Disturbance Permit.

J. Tymon: The applicant has taken himself off the agenda. He is still trying to obtain the required drainage easement.

Board Member Training

J. Tymon: Tom Urbelis has offered to come to a meeting to talk about the Open Meeting Law and/or Subdivision Regulations.

The Board discussed what training subjects would be beneficial and which format would be best.

J. Tymon will review upcoming Merrimack Valley Planning training sessions and advise the Board.

J. Simons: Requested J. Tymon put together material that is a good distillation of the Subdivision Control Law and Special Permit Law and research what courses are available.

MEETING MINUTES: Approval of September 20, 2011 meeting minutes.

MOTION

A motion was made by T. Seibert to approve the meeting minutes for September 20, 2011. The motion was seconded R. Rowen. The vote was unanimous.

ADJOURNMENT:

MOTION

A motion was made by R. Rowen to adjourn the meeting. The motion was seconded by M. Colantoni. The vote was unanimous.

The meeting adjourned at 8:20pm.

MEETING MATERIALS: Agenda, Merrimack College letter to Chairman Conservation Commission dated 9/21/2011, Eggleston Environmental letter dated 9/28/11 RE: Merrimack College, Merrimack College Alternative 1 & 2 dated 9/21/2011, Letter dated 9/22/11 RE: bond release 673 Great Pond Rd bond release, As-Built plan 673 Great Pond Rd, 1780 Osgood St Detail Plan and Site Plan dated 9/15/2011, Draft Decision for 1780 Osgood Street Site Plan Review, Plan dated Sept 14, 2011 "Salem Woods", Response letters from Merrimack Engineering Services, Inc to Director of Engineering, VHB, Eggleston Environmental date 9/19/2011, L. Eggleston email dated 10/4/2011 RE: "Salem Woods", Margaret Circle definitive subdivision plans dated August 2011, Waiver request letter RE: 16 Berry Street, dated 8/29/2011 from GPR, aerial view 642 Turnpike Street, Citizen Planner Training Collaborative fall 2011 workshops brochure, Meeting Minute draft 9/20/2011,